

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF BRONX

-----X

J [REDACTED] C [REDACTED] an infant by her mother and natural guardian, ADALGISA CAMPOS, V [REDACTED] C [REDACTED] an infant by his mother and natural guardian, ADALGISA CAMPOS, VICTOR J. CAMPOS, BARTOLO CAMPOS and ADALGISA CAMPOS, individually,

Index No.:

**VERIFIED  
COMPLAINT**

*Plaintiff,*

*-against-*

THE CITY OF NEW YORK and THE NEW YORK CITY POLICE DEPARTMENT, POLICE OFFICER MATTHEW ESCUDERO, BADGE # 26192, POLICE OFFICER WASHINGTON ZURITA, BADGE #3381 AND POLICE OFFICERS "JOHN DOE #1-#2",

*Defendants*

-----X

Plaintiffs, by their attorneys, **LAW OFFICES OF MICHAEL S. LAMONSOFF, PLLC**,

complaining of the Defendants, respectfully alleges, upon information and belief:

1. At the time of the commencement of this action, Plaintiff Infant J [REDACTED]

[REDACTED] was a resident of the County of Bronx, State of New York.

2. At the time of the commencement of this action, Plaintiff Infant V [REDACTED]

was a resident of the County of Bronx, State of New York.

3. At all times herein mention, plaintiff ADALGISA CAMPOS was and still is a resident of the County of the Bronx, City and State of New York.

4. At all times herein mention, plaintiff BARTOLO CAMPOS was and still is a resident of the County of the Bronx, City and State of New York.

5. At all times herein mention, plaintiff VICTOR J. CAMPOS was and still is a resident of the County of the Bronx, City and State of New York.

6. This action is brought pursuant to the provision of 42 U.S.C. §1981, §1983, §1985 and 28 U.S.C. §1343 pursuant to pendent state law claims for false imprisonment, intentional infliction of emotional distress and the violation of civil rights. The action arises out of the false arrest, assault and battery of the Plaintiffs by Police Officers employed by THE NEW YORK CITY POLICE DEPARTMENT.

7. The cause of action alleged herein arose in the County of Bronx, City and State of New York.

8. On June 11, 2011, defendant, THE CITY OF NEW YORK was and still is a municipal corporation, duly organized and existing under the laws of the State of New York.

9. On June 11, 2011, defendant, THE NEW YORK CITY POLICE DEPARTMENT was and still is a municipal corporation, duly organized and existing under the laws of the State of New York.

10. That at all times hereinafter mentioned, defendant, THE CITY OF NEW YORK, owned, operated, maintained and controlled the defendant, THE NEW YORK CITY POLICE DEPARTMENT and employed the police officers and supervisory officers therein.

11. At all times relevant to the action herein, defendant THE CITY OF NEW YORK hired, screened, traincd, instructed, managed and supervised its police officers.

12. That at all times hereinafter mentioned, defendant THE CITY OF NEW YORK assumed responsibility supervision, and authority over THE NEW YORK CITY POLICE DEPARTMENT, its agents, servants and employees, and is liable to the plaintiff for the acts complained of herein under the theories of vicarious liability and *respondent superior*.

13. Plaintiff has complied with all the conditions precedent to the commencement of the within action against defendant THE CITY OF NEW YORK; a Notice of Claim having been served upon the defendant THE CITY OF NEW YORK on June 23, 2011 and within ninety (90) days of the date that the within cause of action having been caused to accrue; thirty (30) days have elapsed and the claim remains unpaid and unadjusted and a Notice of Claim having been served upon the defendant.

14. That more than ninety (90) days have elapsed from the presentation of the aforesaid notice of claim and the municipal defendants have failed to hold a municipal claim hearing pursuant to 50-(h) of the *General Municipal Law*.

15. This action was commenced within one (1) year and ninety (90) days after the happening of the event upon which the claim is based.

16. At all times hereinafter mentioned relevant to the action herein, defendant, THE NEW YORK CITY POLICE DEPARTMENT was and still is a department of defendant THE CITY OF NEW YORK.

17. On June 11, 2011, the defendant THE CITY OF NEW YORK by virtue of, under and pursuant to the Laws of the State of New York and the Charter, and Administrative code of the City of New York, created and operated a Police Department for the public benefit and protection of its citizens.

18. On June 11, 2011, defendant POLICE OFFICER MATTHEW ESCUDERO, BADGE #26192 (hereinafter referred to as POLICE OFFICER MATTHEW ESCUDERO) was and still is employed by the Defendant THE CITY OF NEW YORK and THE NEW YORK CITY POLICE DEPARTMENT.

19. On June 11, 2011, defendant POLICE OFFICER WASHINGTON ZURITA, BADGE #3381 ( hereinafter referred to as POLICE OFFICER WASHINGTON ZURITA) was and still is employed by the Defendant THE CITY OF NEW YORK and THE NEW YORK CITY POLICE DEPARTMENT.

20. On June 11, 2011, defendants POLICE OFFICERS "JOHN DOE #1-#2" were and still are employed by the Defendant THE CITY OF NEW YORK and THE NEW YORK CITY POLICE DEPARTMENT.

21. On June 11, 2011, POLICE OFFICER MATTHEW ESCUDERO was acting under color of State Law and within the scope of his employment.

22. On June 11, 2011, POLICE OFFICER WASIINGTON ZURITA was acting under color of State Law and within the scope of his employment.

23. On June 11, 2011, POLICE OFFICERS "JOHN DOE #1-#2" were acting under color of State Law and within the scope of their employment.

24. On June 11, 2011 and at all times relevant to the action herein, defendant THE NEW YORK CITY POLICE DEPARTMENT employed Police Officers and/or detectives that were on duty and were working within the scope and course of their employment as a New York City Police Officers for defendant THE NEW YORK CITY POLICE DEPARTMENT and THE CITY OF NEW YORK.

25. On June 11, 2011 and at all times relevant to the action herein, the police officers, and/or detectives were on duty and were acting under color of State Law and within the scope of their employment for the defendant THE NEW YORK CITY POLICE DEPARTMENT.

**AS AND FOR A FIRST CAUSE OF ACTION  
FOR FALSE ARREST AND FALSE IMPRISONMENT ON BEHALF OF  
INFANT J [REDACTED]**

26. Plaintiff hereby restates, reiterates and realleges each and every allegation contained in paragraphs 1 through 25 with the same power and force as if fully stated at length below.

27. On June 11, 2011, Plaintiff, [REDACTED] was lawfully present at 2005 Davidson Avenue, Apartment 1A, in the County of Bronx, City and State of New York.

28. That on or about June 11, 2011, due to the negligence of the defendants, their agents, servants, employees, licensees and/or police officers while in the course and scope of their employment with CITY OF NEW YORK, and acting under authority of the NEW YORK CITY POLICE DEPARTMENT, falsely arrested and imprisoned the Plaintiff, J [REDACTED] without warrant, authority of law or probable cause therefore.

29. That the acts and conduct constituting the false arrest and false imprisonment consisted in part of the following; unlawfully and intentionally detaining and confining Plaintiff against his will and without his consent; unlawfully and intentionally detaining and confining Plaintiff without privilege, probable cause or valid legal process; unlawfully detaining and confining Plaintiff through the unlawful arrest of Plaintiff; unlawfully detaining and confining Plaintiff through the use of force; unlawfully arresting Plaintiff and placing Plaintiff in handcuffs without reasonable

cause therefore, and committing such other acts resulting in the unlawful arrest and imprisonment of Plaintiff.

30. That Plaintiff was conscious of the false arrest and confinement.

31. That as a direct, sole and proximate result of the false arrest and imprisonment, Plaintiff was caused to and did sustain humiliation and embarrassment, emotional and mental distress, moral and mental degradation, indignity and disgrace, injury to personal and business reputation, inconvenience, disturbance and disruption of life, legal expenses, and loss of personal income.

32. As a result thereof, Plaintiff was damaged in a sum far in excess of the jurisdictional limits of this Court pursuant to CPLR 3017(c).

**AS AND FOR A SECOND CAUSE OF ACTION  
ON BEHALF OF INFANT J [REDACTED]**

33. Plaintiff [REDACTED] hereby restates, reiterates and realleges each and every allegation contained in paragraphs 1 through 32 with the same power and force as if fully stated at length below.

34. That on or about June 11, 2011, due to the negligence of the defendants, their agents, servants, employees, licensees and/or police officers while in the course and scope of their employment with THE CITY OF NEW YORK, and acting under authority of the, NEW YORK CITY POLICE DEPARTMENT, individually and in their official capacities, acting under color of law, deprived Plaintiff of his state constitutional rights, including the right to due process of law, freedom of speech and security against unreasonable searches and seizures.

35. That by reason of the foregoing, Plaintiff J [REDACTED] was damaged in an amount that exceeds the jurisdictional limits of all lower courts.

**AS AND FOR A THIRD CAUSE OF ACTION**  
**FOR VIOLATION OF TITLE 42 OF THE UNITED STATES CODE SECTION 1983 ON**  
**BEHALF OF J [REDACTED]**

36. Plaintiff J [REDACTED] CAMPOS hereby restates, reiterates and realleges each and every allegation contained in paragraphs 1 through 35 with the same power and force as if fully stated at length below.

37. In engaging in the conduct described, falsely arresting, falsely imprisoning, and harassing plaintiff, J [REDACTED] defendants, THE CITY OF NEW YORK and NEW YORK CITY POLICE DEPARTMENT, deprived plaintiff of his civil rights pursuant to Title 42 U.S.C.A. § 1983.

38. In engaging in the conduct described, falsely arresting, falsely imprisoning, and harassing plaintiff, J [REDACTED] defendants, POLICE OFFICER MATTHEW ESCUDERO, BADGE # 26192, POLICE OFFICER WASHINGTON ZURITA, BADGE #3381 AND POLICE OFFICERS "JOHN DOE #1-#2", deprived plaintiff of his civil rights pursuant to Title 42 U.S.C.A. § 1983.

39. That the defendants acted under color of State law.

40. That the strip search conducted by defendants violated Plaintiff's right against unreasonable search/seizure in that there was no clear indication incriminating evidence would be found within plaintiff's body and that there were no exigent circumstances justifying the absence of a warrant.

41. That the aforementioned misuse of authority and power by the police officers was intentional, reckless and egregious and shocking to the conscience. As a direct result of defendants' actions, plaintiff, J [REDACTED] was caused to undergo the humiliation and indignities resulting from being compelled to engage in the physical contact and unlawful confinement described, against his will; and was caused and will continue to undergo and endure severe mental anguish and humiliation and hardship as a consequence thereof.

42. As a direct result of defendant's actions, plaintiff suffered a denial of his federal statutory rights, constitutional rights and privileges. Such deprivations were in violation of the rights secured to plaintiff, J [REDACTED] by the Fourth and Fourteenth Amendments of the United States Constitution and by Title 42 U.S.C.A § 1983.

43. As a result thereof, Plaintiff was damaged in a sum far in excess of the jurisdictional limits of this Court pursuant to CPLR 3017(c).

**AS AND FOR A FOURTH CAUSE OF ACTION  
FOR FALSE ARREST AND FALSE IMPRISONMENT ON BEHALF OF  
INFANT V [REDACTED]**

44. Plaintiff hereby restates, reiterates and realleges each and every allegation contained in paragraphs 1 through 43 with the same power and force as if fully stated at length below.

45. On June 11, 2011, Plaintiff, V [REDACTED] was lawfully present at 2005 Davidson Avenue, Apartment 1A, in the County of Bronx, City and State of New York.

46. That on or about June 11, 2011, due to the negligence of the defendants, their agents, servants, employees, licensees and/or police officers while in the course and scope of their employment with CITY OF NEW YORK, and acting under authority of the NEW YORK CITY

POLICE DEPARTMENT, falsely arrested and imprisoned the Plaintiff, J [REDACTED]

without warrant, authority of law or probable cause therefore.

47. That the acts and conduct constituting the false arrest and false imprisonment consisted in part of the following; unlawfully and intentionally detaining and confining Plaintiff against his will and without his consent; unlawfully and intentionally detaining and confining Plaintiff without privilege, probable cause or valid legal process; unlawfully detaining and confining Plaintiff through the unlawful arrest of Plaintiff; unlawfully detaining and confining Plaintiff through the use of force; unlawfully arresting Plaintiff and placing Plaintiff in handcuffs without reasonable cause therefore, and committing such other acts resulting in the unlawful arrest and imprisonment of Plaintiff.

48. That Plaintiff was conscious of the false arrest and confinement.

49. That as a direct, sole and proximate result of the false arrest and imprisonment, Plaintiff was caused to and did sustain humiliation and embarrassment, emotional and mental distress, moral and mental degradation, indignity and disgrace, injury to personal and business reputation, inconvenience, disturbance and disruption of life, legal expenses, and loss of personal income.

50. As a result thereof, Plaintiff was damaged in a sum far in excess of the jurisdictional limits of this Court pursuant to CPLR 3017(c).

**AS AND FOR A FIFTH CAUSE OF ACTION**  
**ON BEHALF OF V [REDACTED]**

51. Plaintiff V [REDACTED] hereby restates, reiterates and realleges each and every allegation contained in paragraphs 1 through 50 with the same power and force as if fully stated at length below.

52. That on or about June 11, 2011, due to the negligence of the defendants, their agents, servants, employees, licensees and/or police officers while in the course and scope of their employment with THE CITY OF NEW YORK, and acting under authority of the, NEW YORK CITY POLICE DEPARTMENT, individually and in their official capacities, acting under color of law, deprived Plaintiff of his state constitutional rights, including the right to due process of law, freedom of speech and security against unreasonable searches and seizures.

53. That by reason of the foregoing, Plaintiff V [REDACTED] was damaged in an amount that exceeds the jurisdictional limits of all lower courts.

**AS AND FOR A SIXTH CAUSE OF ACTION  
FOR VIOLATION OF TITLE 42 OF THE UNITED STATES CODE SECTION 1983 ON  
BEHALF OF V [REDACTED]**

54. Plaintiff V [REDACTED] hereby restates, reiterates and realleges each and every allegation contained in paragraphs 1 through 53 with the same power and force as if fully stated at length below.

55. In engaging in the conduct described, falsely arresting, falsely imprisoning, and harassing plaintiff, V [REDACTED] defendants, THE CITY OF NEW YORK and NEW YORK CITY POLICE DEPARTMENT, deprived plaintiff of his civil rights pursuant to Title 42 U.S.C.A. § 1983.

56. In engaging in the conduct described, falsely arresting, falsely imprisoning, and harassing plaintiff, V [REDACTED] defendants, POLICE OFFICER MATTHEW ESCUDERO, BADGE # 26192, POLICE OFFICER WASHINGTON ZURITA, BADGE #3381 AND POLICE OFFICERS "JOHN DOE #1-#2", deprived plaintiff of his civil rights pursuant to Title 42 U.S.C.A. § 1983.

57. That the defendants acted under color of State law.

58. That the strip search conducted by defendants violated Plaintiff's right against unreasonable search/seizure in that there was no clear indication incriminating evidence would be found within plaintiff's body and that there were no exigent circumstances justifying the absence of a warrant.

59. That the aforementioned misuse of authority and power by the police officers was intentional, reckless and egregious and shocking to the conscience. As a direct result of defendants' actions, plaintiff, V [REDACTED] was caused to undergo the humiliation and indignities resulting from being compelled to engage in the physical contact and unlawful confinement described, against his will; and was caused and will continue to undergo and endure severe mental anguish and humiliation and hardship as a consequence thereof.

60. As a direct result of defendant's actions, plaintiff suffered a denial of his federal statutory rights, constitutional rights and privileges. Such deprivations were in violation of the rights secured to plaintiff, V [REDACTED] by the Fourth and Fourteenth Amendments of the United States Constitution and by Title 42 U.S.C.A § 1983.

61. As a result thereof, Plaintiff was damaged in a sum far in excess of the jurisdictional limits of this Court pursuant to CPLR 3017(c).

**AS AND FOR A SEVENTH CAUSE OF ACTION  
FOR FALSE ARREST AND FALSE IMPRISONMENT ON BEHALF OF  
ADALGISA CAMPOS**

62. Plaintiff hereby restates, reiterates and realleges each and every allegation contained in paragraphs 1 through 61 with the same power and force as if fully stated at length below.

63. On June 11, 2011, Plaintiff, ADALGISA CAMPOS was lawfully present at 2005 Davidson Avenue, Apartment 1A, in the County of Bronx, City and State of New York.

64. That on or about June 11, 2011, due to the negligence of the defendants, their agents, servants, employees, licensees and/or police officers while in the course and scope of their employment with CITY OF NEW YORK, and acting under authority of the NEW YORK CITY POLICE DEPARTMENT, falsely arrested and imprisoned the Plaintiff, ADALGISA CAMPOS, without warrant, authority of law or probable cause therefore.

65. That the acts and conduct constituting the false arrest and false imprisonment consisted in part of the following; unlawfully and intentionally detaining and confining Plaintiff against his will and without his consent; unlawfully and intentionally detaining and confining Plaintiff without privilege, probable cause or valid legal process; unlawfully detaining and confining Plaintiff through the unlawful arrest of Plaintiff; unlawfully detaining and confining Plaintiff through the use of force; unlawfully arresting Plaintiff and placing Plaintiff in handcuffs without reasonable cause therefore, and committing such other acts resulting in the unlawful arrest and imprisonment of Plaintiff.

66. That Plaintiff was conscious of the false arrest and confinement.

67. That as a direct, sole and proximate result of the false arrest and imprisonment, Plaintiff was caused to and did sustain humiliation and embarrassment, emotional and mental distress, moral and mental degradation, indignity and disgrace, injury to personal and business reputation, inconvenience, disturbance and disruption of life, legal expenses, and loss of personal income.

68. As a result thereof, Plaintiff was damaged in a sum far in excess of the jurisdictional limits of this Court pursuant to CPLR 3017(c).

**AS AND FOR AN EIGHTH CAUSE OF ACTION  
ON BEHALF OF ADALGISA CAMPOS**

69. Plaintiff ADALGISA CAMPOS hereby restates, reiterates and realleges each and every allegation contained in paragraphs 1 through 68 with the same power and force as if fully stated at length below.

70. That on or about June 11, 2011, due to the negligence of the defendants, their agents, servants, employees, licensees and/or police officers while in the course and scope of their employment with THE CITY OF NEW YORK, and acting under authority of the, NEW YORK CITY POLICE DEPARTMENT, individually and in their official capacities, acting under color of law, deprived Plaintiff of his state constitutional rights, including the right to due process of law, freedom of speech and security against unreasonable searches and seizures.

71. That by reason of the foregoing, Plaintiff ADALGISA CAMPOS was damaged in an amount that exceeds the jurisdictional limits of all lower courts.

**AS AND FOR A NINTH CAUSE OF ACTION  
FOR VIOLATION OF TITLE 42 OF THE UNITED STATES CODE SECTION 1983 ON  
BEHALF OF ADALGISA CAMPOS**

72. Plaintiff ADALGISA CAMPOS hereby restates, reiterates and realleges each and every allegation contained in paragraphs 1 through 71 with the same power and force as if fully stated at length below.

73. In engaging in the conduct described, falsely arresting, falsely imprisoning, and harassing plaintiff, ADALGISA CAMPOS, defendants, THE CITY OF NEW YORK and NEW YORK CITY POLICE DEPARTMENT, deprived plaintiff of his civil rights pursuant to Title 42 U.S.C.A. § 1983.

74. In engaging in the conduct described, falsely arresting, falsely imprisoning, and harassing plaintiff, ADALGISA CAMPOS, defendants, POLICE OFFICER MATTHEW ESCUDERO, BADGE # 26192, POLICE OFFICER WASHINGTON ZURITA, BADGE #3381 AND POLICE OFFICERS "JOHN DOE #1-#2", deprived plaintiff of his civil rights pursuant to Title 42 U.S.C.A. § 1983.

75. That the defendants acted under color of State law.

76. That the strip search conducted by defendants violated Plaintiff's right against unreasonable search/seizure in that there was no clear indication incriminating evidence would be found within plaintiff's body and that there were no exigent circumstances justifying the absence of a warrant.

77. That the aforementioned misuse of authority and power by the police officers was intentional, reckless and egregious and shocking to the conscience. As a direct result of defendants' actions, plaintiff, ADALGISA CAMPOS, was caused to undergo the humiliation and indignities resulting from being compelled to engage in the physical contact and unlawful confinement described, against his will; and was caused and will continue to undergo and endure severe mental anguish and humiliation and hardship as a consequence thereof.

78. As a direct result of defendant's actions, plaintiff suffered a denial of his federal statutory rights, constitutional rights and privileges. Such deprivations were in violation of the rights secured to plaintiff, ADALGISA CAMPOS by the Fourth and Fourteenth Amendments of the United States Constitution and by Title 42 U.S.C.A § 1983.

79. As a result thereof, Plaintiff was damaged in a sum far in excess of the jurisdictional limits of this Court pursuant to CPLR 3017(c).

**AS AND FOR A TENTH CAUSE OF ACTION  
FOR FALSE ARREST AND FALSE IMPRISONMENT ON BEHALF OF  
VICTOR J. CAMPOS**

80. Plaintiff hereby restates, reiterates and realleges each and every allegation contained in paragraphs 1 through 79 with the same power and force as if fully stated at length below.

81. On June 11, 2011, Plaintiff, VICTOR J. CAMPOS was lawfully present at 2005 Davidson Avenue, Apartment 1A, in the County of Bronx, City and State of New York.

82. That on or about June 11, 2011, due to the negligence of the defendants, their agents, servants, employees, licensees and/or police officers while in the course and scope of their employment with CITY OF NEW YORK, and acting under authority of the NEW YORK CITY POLICE DEPARTMENT, falsely arrested and imprisoned the Plaintiff, VICTOR J. CAMPOS, without warrant, authority of law or probable cause therefore.

83. That the acts and conduct constituting the false arrest and false imprisonment consisted in part of the following; unlawfully and intentionally detaining and confining Plaintiff against his will and without his consent; unlawfully and intentionally detaining and confining Plaintiff without privilege, probable cause or valid legal process; unlawfully detaining and confining Plaintiff through the unlawful arrest of Plaintiff; unlawfully detaining and confining Plaintiff through

the use of force; unlawfully arresting Plaintiff and placing Plaintiff in handcuffs without reasonable cause therefore, and committing such other acts resulting in the unlawful arrest and imprisonment of Plaintiff.

84. That Plaintiff was conscious of the false arrest and confinement.

85. That as a direct, sole and proximate result of the false arrest and imprisonment, Plaintiff was caused to and did sustain humiliation and embarrassment, emotional and mental distress, moral and mental degradation, indignity and disgrace, injury to personal and business reputation, inconvenience, disturbance and disruption of life, legal expenses, and loss of personal income.

86. As a result thereof, Plaintiff was damaged in a sum far in excess of the jurisdictional limits of this Court pursuant to CPLR 3017(c).

**AS AND FOR AN ELEVENTH CAUSE OF ACTION  
ON BEHALF OF VICTOR J. CAMPOS**

87. Plaintiff VICTOR J. CAMPOS hereby restates, reiterates and realleges each and every allegation contained in paragraphs 1 through 86 with the same power and force as if fully stated at length below.

88. That on or about June 11, 2011, due to the negligence of the defendants, their agents, servants, employees, licensees and/or police officers while in the course and scope of their employment with THE CITY OF NEW YORK, and acting under authority of the, NEW YORK CITY POLICE DEPARTMENT, individually and in their official capacities, acting under color of law, deprived Plaintiff of his state constitutional rights, including the right to due process of law, freedom of speech and security against unreasonable searches and seizures.

89. That by reason of the foregoing, Plaintiff VICTOR J. CAMPOS was damaged in an amount that exceeds the jurisdictional limits of all lower courts.

**AS AND FOR A TWELFTH CAUSE OF ACTION  
FOR VIOLATION OF TITLE 42 OF THE UNITED STATES CODE SECTION 1983 ON  
BEHALF OF VICTOR J. CAMPOS**

90. Plaintiff VICTOR J. CAMPOS hereby restates, reiterates and realleges each and every allegation contained in paragraphs 1 through 89 with the same power and force as if fully stated at length below.

91. In engaging in the conduct described, falsely arresting, falsely imprisoning, and harassing plaintiff, VICTOR J. CAMPOS, defendants, THE CITY OF NEW YORK and NEW YORK CITY POLICE DEPARTMENT, deprived plaintiff of his civil rights pursuant to Title 42 U.S.C.A. § 1983.

92. In engaging in the conduct described, falsely arresting, falsely imprisoning, and harassing plaintiff, VICTOR J. CAMPOS, defendants, POLICE OFFICER MATTHEW ESCUDERO, BADGE # 26192, POLICE OFFICER WASHINGTON ZURITA, BADGE #3381 AND POLICE OFFICERS "JOHN DOE #1-#2", deprived plaintiff of his civil rights pursuant to Title 42 U.S.C.A. § 1983.

93. That the defendants acted under color of State law.

94. That the strip search conducted by defendants violated Plaintiff's right against unreasonable search/seizure in that there was no clear indication incriminating evidence would be found within plaintiff's body and that there were no exigent circumstances justifying the absence of a warrant.

95. That the aforementioned misuse of authority and power by the police officers was intentional, reckless and egregious and shocking to the conscience. As a direct result of defendants' actions, plaintiff, VICTOR J. CAMPOS, was caused to undergo the humiliation and indignities resulting from being compelled to engage in the physical contact and unlawful confinement described, against his will; and was caused and will continue to undergo and endure severe mental anguish and humiliation and hardship as a consequence thereof.

96. As a direct result of defendant's actions, plaintiff suffered a denial of his federal statutory rights, constitutional rights and privileges. Such deprivations were in violation of the rights secured to plaintiff, VICTOR J. CAMPOS by the Fourth and Fourteenth Amendments of the United States Constitution and by Title 42 U.S.C.A § 1983.

97. As a result thereof, Plaintiff was damaged in a sum far in excess of the jurisdictional limits of this Court pursuant to CPLR 3017(c).

**AS AND FOR A THIRTEENTH CAUSE OF ACTION  
FOR FALSE ARREST AND FALSE IMPRISONMENT ON BEHALF OF  
BARTOLO CAMPOS**

98. Plaintiff hereby restates, reiterates and realleges each and every allegation contained in paragraphs 1 through 97 with the same power and force as if fully stated at length below.

99. On June 11, 2011, Plaintiff, BARTOLO CAMPOS was lawfully present at 2005 Davidson Avenue, Apartment 1A, in the County of Bronx, City and State of New York.

100. That on or about June 11, 2011, due to the negligence of the defendants, their agents, servants, employees, licensees and/or police officers while in the course and scope of their employment with CITY OF NEW YORK, and acting under authority of the NEW YORK CITY

POLICE DEPARTMENT, falsely arrested and imprisoned the Plaintiff, BARTOLO CAMPOS, without warrant, authority of law or probable cause therefore.

101. That the acts and conduct constituting the false arrest and false imprisonment consisted in part of the following; unlawfully and intentionally detaining and confining Plaintiff against his will and without his consent; unlawfully and intentionally detaining and confining Plaintiff without privilege, probable cause or valid legal process; unlawfully detaining and confining Plaintiff through the unlawful arrest of Plaintiff; unlawfully detaining and confining Plaintiff through the use of force; unlawfully arresting Plaintiff and placing Plaintiff in handcuffs without reasonable cause therefore, and committing such other acts resulting in the unlawful arrest and imprisonment of Plaintiff.

102. That Plaintiff was conscious of the false arrest and confinement.

103. That as a direct, sole and proximate result of the false arrest and imprisonment, Plaintiff was caused to and did sustain humiliation and embarrassment, emotional and mental distress, moral and mental degradation, indignity and disgrace, injury to personal and business reputation, inconvenience, disturbance and disruption of life, legal expenses, and loss of personal income.

104. As a result thereof, Plaintiff was damaged in a sum far in excess of the jurisdictional limits of this Court pursuant to CPLR 3017(c).

**AS AND FOR A FORTEENTH CAUSE OF ACTION  
ON BEHALF OF BARTOLO CAMPOS**

105. Plaintiff BARTOLO CAMPOS hereby restates, reiterates and realleges each and every allegation contained in paragraphs 1 through 104 with the same power and force as if fully stated at length below.

106. That on or about June 11, 2011, due to the negligence of the defendants, their agents, servants, employees, licensees and/or police officers while in the course and scope of their employment with THE CITY OF NEW YORK, and acting under authority of the, NEW YORK CITY POLICE DEPARTMENT, individually and in their official capacities, acting under color of law, deprived Plaintiff of his state constitutional rights, including the right to due process of law, freedom of speech and security against unreasonable searches and seizures.

107. That by reason of the foregoing, Plaintiff BARTOLO CAMPOS was damaged in an amount that exceeds the jurisdictional limits of all lower courts.

**AS AND FOR A FIFTEENTH CAUSE OF ACTION  
FOR VIOLATION OF TITLE 42 OF THE UNITED STATES CODE SECTION 1983 ON  
BEHALF OF BARTOLO CAMPOS**

108. Plaintiff BARTOLO CAMPOS hereby restates, reiterates and realleges each and every allegation contained in paragraphs 1 through 107 with the same power and force as if fully stated at length below.

109. In engaging in the conduct described, falsely arresting, falsely imprisoning, and harassing plaintiff, BARTOLO CAMPOS, defendants, THE CITY OF NEW YORK and NEW YORK CITY POLICE DEPARTMENT, deprived plaintiff of his civil rights pursuant to Title 42 U.S.C.A. § 1983.

110. In engaging in the conduct described, falsely arresting, falsely imprisoning, and harassing plaintiff, BARTOLO CAMPOS, defendants, POLICE OFFICER MATTHEW ESCUDERO, BADGE # 26192. POLICE OFFICER WASHINGTON ZURITA, BADGE #3381 AND POLICE OFFICERS "JOHN DOE #1-#2", deprived plaintiff of his civil rights pursuant to Title 42 U.S.C.A. § 1983.

111. That the defendants acted under color of State law.
112. That the strip search conducted by defendants violated Plaintiff's right against unreasonable search/seizure in that there was no clear indication incriminating evidence would be found within plaintiff's body and that there were no exigent circumstances justifying the absence of a warrant.
113. That the aforementioned misuse of authority and power by the police officers was intentional, reckless and egregious and shocking to the conscience. As a direct result of defendants' actions, plaintiff, BARTOLO CAMPOS, was caused to undergo the humiliation and indignities resulting from being compelled to engage in the physical contact and unlawful confinement described, against his will; and was caused and will continue to undergo and endure severe mental anguish and humiliation and hardship as a consequence thereof.
114. As a direct result of defendant's actions, plaintiff suffered a denial of his federal statutory rights, constitutional rights and privileges. Such deprivations were in violation of the rights secured to plaintiff, BARTOLO CAMPOS by the Fourth and Fourteenth Amendments of the United States Constitution and by Title 42 U.S.C.A § 1983.
115. As a result thereof, Plaintiff was damaged in a sum far in excess of the jurisdictional limits of this Court pursuant to CPLR 3017(c).

**AS AND FOR A SIXTEENTH CAUSE OF ACTION  
FOR ATTORNEYS' FEES**

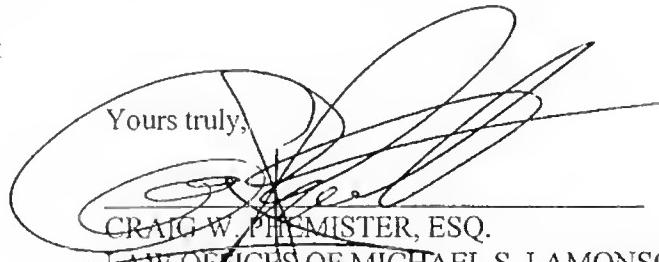
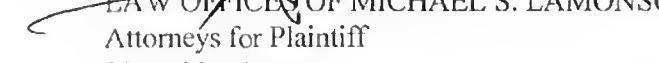
116. Plaintiffs hereby restates, reiterates and realleges each and every allegation contained in paragraphs 1 through 115 with the same power and force as if fully stated at length below.

117. Pursuant to Title 42 U.S.C.A § 1983 plaintiffs are entitled to recover reasonable attorneys fees for the violation of said statute.

118. As a result thereof, Plaintiffs were damaged in a sum far in excess of the jurisdictional limits of this Court pursuant to CPLR 3017(c).

WHEREFORE, as on the foregoing Causes of actions, plaintiffs demand judgment against the defendants, severally and jointly, in an amount which exceeds the jurisdictional limits of all lower Courts, together with attorney fees pursuant to 42 U.S.C.A. § 1988, the costs and disbursements of this action, and such other and further relief as the courts deems just and proper.

Dated: New York, New York  
January 31, 2012

  
Yours truly,  
  
CRAIG W. PITTMISTER, ESQ.  
LAW OFFICES OF MICHAEL S. LAMONSOFF  
Attorneys for Plaintiff  
80 Maiden Lane  
New York, N.Y. 10038  
(212) 962-1020  
Our File No. 15785

**VERIFICATION**

**CRAIG W. PHEMISTER**, an attorney duly admitted to practice before the Courts of the State of New York, affirms the following to be true under the penalties of perjury:

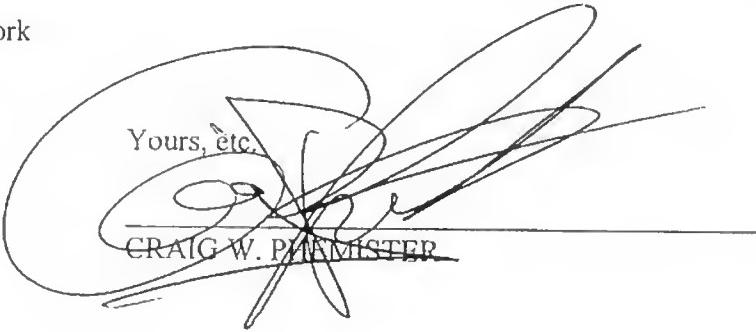
I am an attorney at LAW OFFICES OF MICHAEL S. LAMONSOFF, attorneys of record for Plaintiff(s), [REDACTED], ADALGISA CAMPOS, VICTOR J. CAMPOS AND BARTOLO CAMPOS, in the action within. I have read the annexed

**SUMMONS and VERIFIED COMPLAINT**

and know the contents thereof, and the same are true to my knowledge, except those matters therein which are stated to be alleged upon information and belief, and as to those matters I believe them to be true. My belief, as to those matters therein not stated upon knowledge, is based upon facts, records, and other pertinent information contained in my files.

The reason this verification is made by me and not Plaintiff(s) is that Plaintiff(s) is/are not presently in the county wherein the attorneys for the Plaintiff(s) maintain their offices.

Dated: New York, New York  
January 31, 2012

Yours, etc.  
  
\_\_\_\_\_  
**CRAIG W. PHEMISTER**